

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
ENTERED

NOV 20 2000

**DANIEL KING,  
PLAINTIFF,**

) ( **Michael N. Milby, Clerk**  
)(  
)(

**VS.**

) ( **CIVIL ACTION NO:**  
)( **H-00-1638**  
)( **(JURY)**

**JOHN B. HOLMES, JR., MIKE DRISCOLL,  
THE HON. DOUG SHAVER,  
THE HON. DONALD W. JACKSON,  
THE HON. TONY POLUMBO, TOMMY THOMAS,  
JANET NORDSTROM, BOB WESSELS,  
CHARLES BACARISSE, JAMES BROADNAX,  
DEBRA ANDREWS, TOMMY J. TOMPKINS,  
JOHNNY TIPTON, HON. MARK ATKINSON, IN  
THEIR INDIVIDUAL AND OFFICIAL  
CAPACITIES; AND HARRIS COUNTY, TEXAS,  
DEFENDANTS.**

) ( **AGREED ORDER**

**AGREED ORDER**

Pending before the Court is Plaintiff James Leroy Kidd's application for temporary restraining order/motion for preliminary injunction which seeks to prevent the continued enforcement of the first sentence of Section II, (F)(2) of Procedure A.24 of the Accounting Procedures Manual of Harris County, Texas entitled "Assessment and Discharge of Confinement, Fines, Fees, Court Costs, and Related Charges For Criminal Cases" which allegedly went into effect around February, 1997. Section II(F)(2) provides that "Defendant serves day-for-day without any additional post judgment credit allowed from the date the notice of appeal is filed." Defendants agree that Section II(F)(2) Procedure A.24 was in place, but reserve the right to deny Section II(F)(2) has ever been enforced.

The parties now agree as follows:

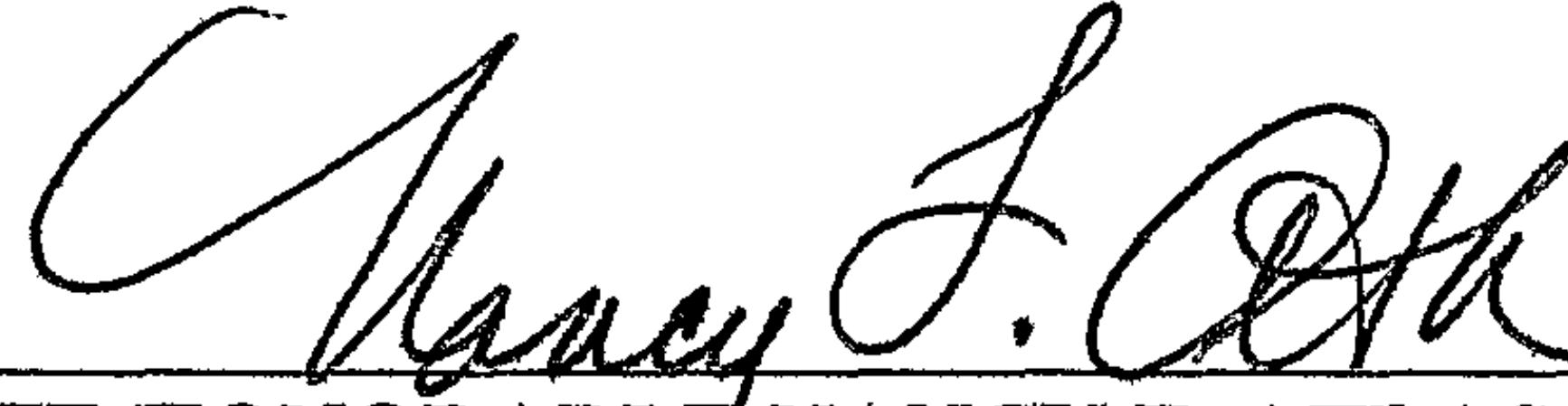
**ORDER/TRO**

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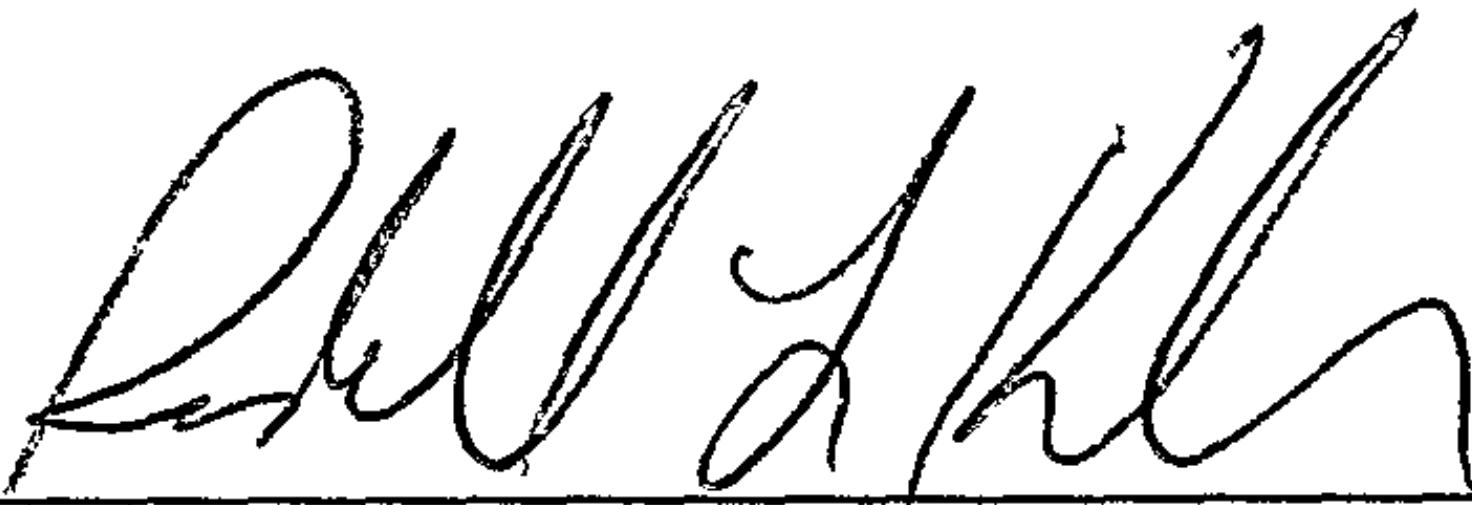
It is ORDERED that John B. Holmes, Jr., the Hon. Donald W. Jackson, the Hon. Tony Polumbo, Tommy Thomas, Janet Nordstrom, Bob Wessels, Charles Bacarissee, James Broadnax, Debra Andrews, Tommy J. Tompkins, the Hon. Mark Atkinson, and Harris County, Texas (Defendants, herein) and their officers, agents, servants, employees, attorneys, and all other persons acting in concert with them be enjoined from denying good conduct time credit to the Harris County jail sentence of any inmate who files a notice of appeal of his or her criminal court judgment of conviction.

It is ORDERED that Defendants and their officers, agents, servants, employees, attorneys, and all other persons acting in concert with them are enjoined from further enforcement and/or implementation of the first sentence in Procedure A.24, Section II, (F)(2) of the Accounting Procedures Manual of Harris County, Texas which states "Defendant serves day-for-day without any additional post judgment credit allowed from the date the notice of appeal is filed."

SIGNED November 17, 2000.

  
THE HONORABLE NANCY F. ATLAS  
UNITED STATES DISTRICT COURT JUDGE  
SOUTHERN DISTRICT OF TEXAS, HOUSTON DIV.

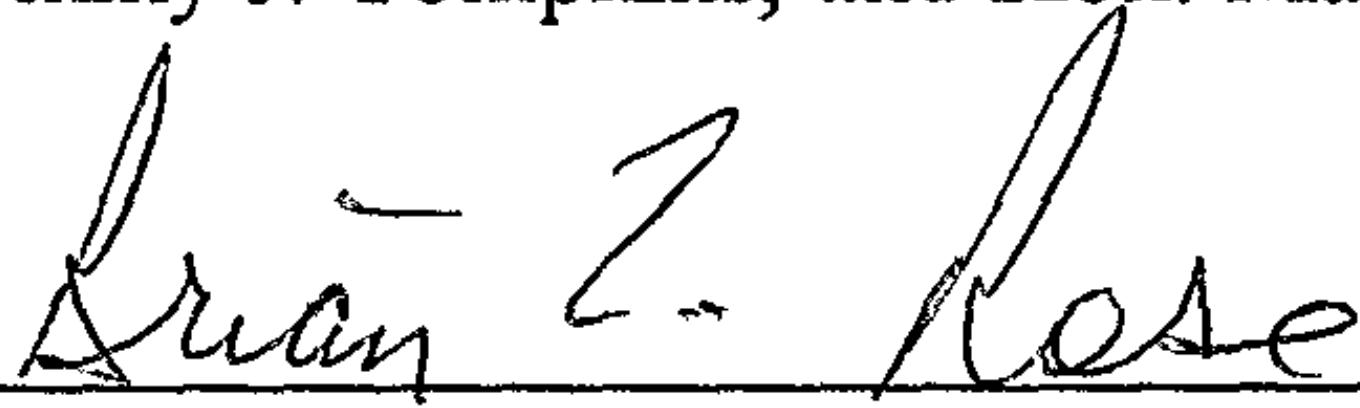
APPROVED:



RANDALL L. KALLINEN  
Attorney-In-Charge for Plaintiffs



MARY BAKER, Assistant County Attorney  
Attorney for defendants Harris County,  
Hon. Donald W. Jackson, Hon. Tony Polumbo,  
Tommy Thomas, Janet Nordstrom, Bob Wessels,  
Charles Bacarissee, James Broadnax, Debra Andrews,  
Tommy J. Tompkins, and Hon. Mark Atkinson



BRIAN ROSE, Assistant District Attorney  
Attorney for defendant John B. Holmes Jr.

ORDER/TRO